### Case 16-17769-jkf Doc 84 Filed 02/28/18 Entered 03/01/18 01:10:40 Desc Imaged

Certificate of Notice Page 1 of 5
United States Bankruptcy Court
Eastern District of Pennsylvania

In re: Judy Ann Vicenty Debtor Case No. 16-17769-jkf Chapter 13

### **CERTIFICATE OF NOTICE**

District/off: 0313-2 User: Stacey Page 1 of 1 Date Rcvd: Feb 26, 2018 Form ID: pdf900 Total Noticed: 10

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 28, 2018. +Judy Ann Vicenty, db 400 Tyson Avenue, Philadelphia, PA 19111-3940 16001 N. Dallas Pkwy, Addison, TX 75001-3311 The Bank Of New York Mellon FKA The Bank, 10 +BANK OF AMERICA, N.A., cr +Bank of America, N.A., 100 N. Tryon St., cr CHARLOTTE, NC 28202-4031 +THE BANK OF NEW YORK MELLON, FKA, 100 N. Tryon St., CHARLOTTE, NC 28202-4000 New York, NY 10087-9262 eCAST Settlement Corporation, PO Box 29262, cr Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. E-mail/Text: bankruptcy@phila.gov Feb 27 2018 02:09:49 City of Philadelphia, smg City of Philadelphia Law Dept., Tax Unit/Bankruptcy Dept, 1515 Arch Street 15th Floor, Philadelphia, PA 19102-1595 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Feb 27 2018 02:09:20 smq Bankruptcy Division, P.O. Box 280946. Pennsylvania Department of Revenue, Harrisburg, PA 17128-0946 +E-mail/Text: usapae.bankruptcynotices@usdoj.gov Feb 27 2018 02:09:46 U.S. Attorney Office, smg c/o Virginia Powel, Esq., Room 1250, 615 Chestnut Street, E-mail/Text: bankruptcy@phila.gov Feb 27 2018 02:09:49 City Philadelphia, PA 19106-4404 City of Philadelphia, Law Revenue Department, c/o Pamela Elchert Thurmond, 1401 JFK Boulevard, 5th Floor, Municipal Services Bldg, Philadelphia, PA 19102 +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Feb 27 2018 02:16:51 Orion (VERIZON), cr c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021 TOTAL: 5

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 28, 2018 Signature: /s/Joseph Speetjens

#### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 26, 2018 at the address(es) listed below:

ALEXANDRA T. GARCIA on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS SUCCESSOR INDENTURE TRUSTEE TO JPMORGAN CHASE BANK, N.A. AS INDENTURE TRUSTEE FOR THE CWABS MASTER TRUST, REVOLVING HOME EQUITY LOAN ASSET BACK ecfmail@mwc-law.com ELINE P. DERKRIKORIAN on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS SUCCESSOR INDENTURE TRUSTEE TO JPMORGAN CHASE BANK, N.A. AS INDENTURE TRUSTEE FOR THE CELINE P. DERKRIKORIAN CWABS MASTER TRUST, REVOLVING HOME EQUITY LOAN ASSET BACK ecfmail@mwc-law.com FREDERICK L. REIGLE ecfmail@fredreiglech13.com, ecf\_frpa@trustee13.com FREDERICK L. REIGLE on behalf of Trustee FREDERICK L. REIGLE ecfmail@fredreiglech13.com, ecf\_frpa@trustee13.com JONATHAN KRINICK on behalf of Debtor Judy Ann Vicenty jkrinick@wwdlaw.com, jkrinick@hotmail.com MARY F. KENNEDY on behalf of Creditor Citizens Bank, N.A. f/k/a RBS Citizens, N.A. mary@javardianlaw.com, tami@javardianlaw.com Toyota Lease Trust bkgroup@kmllawgroup.com MATTEO SAMUEL WEINER on behalf of Creditor PAMELA ELCHERT THURMOND on behalf of Creditor City of Philadelphia pamela.thurmond@phila.gov, james.feighan@phila.gov POLLY A. LANGDON on behalf of Trustee FREDERICK L. REIGLE ecfmail@fredreiglech13.com, ecf\_frpa@trustee13.com on behalf of Creditor Toyota Lease Trust tpuleo@kmllawgroup.com, THOMAS I. PULEO bkgroup@kmllawgroup.com

United States Trustee USTPRegion03.PH.ECF@usdoj.gov

TOTAL: 11

THE LAW OFFICE OF GREGORY JAVARDIAN, LLC By: Mary F. Kennedy, Esquire Attorney I.D. # 77149 1310 Industrial Blvd. 1st Floor, Suite 101 Southampton, PA 18966 (215) 942-9690 Attorney for Citizens Bank, N.A. f/k/a RBS Citizens, N.A.

# IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:

Judy Ann Vicenty

Debtor(s)

Chapter 13 Proceeding

16-17769 JKF

## STIPULATION BY AND BETWEEN JUDY ANN VICENTY AND CITIZENS BANK, N.A. F/K/A RBS CITIZENS, N.A.

WHEREAS, on June 20, 2017 Citizens Bank, N.A. f/k/a RBS Citizens, N.A.'s (hereinafter "Citizens Bank") filed a Motion for Relief from Stay;

WHEREAS, the parties resolved the Motion for Relief from Stay and a Stipulation was approved by the Court on July 25, 2017;

WHEREAS, the Stipulation required the Debtor(s) to remain current on the post-petition mortgage payments;

WHEREAS, the Stipulation allowed Citizens Bank to send a Notice of Default if any payments were missed and provided for the filing of a Certificate of Default if a default was not cured;

WHEREAS, on January 10, 2018 Citizens Bank mailed Debtor(s) and Debtor(s)'
Attorney a Notice of Default;

WHEREAS, on January 25, 2018 Citizens Bank filed a Certificate of Default;

WHEREAS, an Order was entered on February 2, 2018 granting Citizens Bank relief from the stay;

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WHEREAS, since the entry of the relief order Debtor has provided Counsel for Movant funds sufficient to cure the default shown in the Certicate of Default and to pay the February 2, 2018 payment; and

WHEREAS, the parties hereto, and their respective counsel, wish to vacate the relief order.

NOW, THEREFORE, intending to be legally bound, the parties hereto, herewith stipulate as follows:

- The February 2, 2018, Order granting Citizens Bank, N.A. f/k/a RBS
   Citizens, N.A. relief from the stay is vacated.
- 2. On February 7, 2018 Counsel for Citizens Bank received a check in the amount of \$1,436.45 check no. 0000328392. This payment shall bring the Debtor(s) current, post-petition, through the January 2, 2018 post-petition payment. This check also included funds to pay Citizens Bank's Notice of Default/Certificate of Default attorney fees and costs of \$200,00.
- On February 8, 2018 Counsel for Citizens Bank received a check in the amount of \$412.15 check no. 34469. This payment will cover the February 2, 2018 post-petition mortgage payment.
- 4. Commencing with the March 2, 2018 payment the Debtor(s) shall resume and shall continue to make all regular monthly post-petition mortgage payments when they are due in accordance with said Note and Mortgage.
- All payments from Debtor(s) to Citizens Bank, its successors and/or assigns shall be in the form of certified funds or Trustee checks if conduit payments.
- 6. The Debtor(s) shall timely tender all payments and comply with all conditions in accordance with this Stipulation. If such payments or conditions are not

timely made. Movant may provide the Debtor(s) and their counsel with ten (10) days written notice of default. If the default is not cured within the ten (10) day period. Movant may certify the default to this Court and an Order shall be entered granting Citizens Bank, N.A. f/k/a RBS Citizens, N.A. its successors and/or assigns relief from the automatic stay without further notice and hearing.

- 7. If check no. 0000328392 or check no. 34469 is returned for insufficient funds, Citizens Bank, N.A. f/k/a RBS Citizens, N.A. may certify the default to this Court and an Order shall be entered granting Citizens Bank, N.A. f/k/a RBS Citizens, N.A. its successors and/or assigns relief from the automatic stay without further notice and hearing.
- 8. The parties agree to limit the number of required Notices of Default to three
  (3) in a year. Should the Debtor(s) default a fourth (4<sup>th</sup>) time in any one-year period, Movant shall not be required to send a fourth (4<sup>th</sup>) Notice of Default but may immediately certify default to the Court.
- 9. Should Citizens Bank, N.A. f/k/a RBS Citizens, N.A. its successors and/or assigns be granted relief from the stay after filing a Certification of Default in accordance with paragraph six (6) or seven (7) above, the parties agree that the said relief order shall include the following language: "bankruptcy Rule 4001(a)(3) is not applicable and Movant is allowed to immediately proceed with foreclosure and all other relief available under the Non-Bankruptcy law."

10. The parties agree that a facsimile may be submitted to the Court as if it were an original.

STIPULATED AND AGREED TO BY:	
Jonathan Krinick, Esquire	Date: 2/14/18
Attorney for Debtor, Judy-Ann Vicenty	F
12/-1	Date: 2/14/2015
Mary F. Kennedy, Esquire	Diffe: 47 77 DCC 0
Attorney for Citizens Bank, N.A. f/k/a RBS Citiz	ens, N.A.
Pale Algumin	Date: Sub/B
Frederick L. Reigle, Esquire	

On this 24thday of February

, 2018, approved by the Court.

United States Bankruptcy Judge Jean K. FitzSimon

cc: Mary F. Kennedy, Esquire 1310 Industrial Blvd. 1st Floor, Suite 101 Southampton, PA 18966

> Jonathan Krinick, Esquire Willig, Williams & Davidson 1845 Walnut Street 24<sup>th</sup> Floor Philadelphia, PA 19103

Frederick L. Reigle, Esquire Chapter 13 Trustee 2901 St. Lawrence Avenue P.O. Box 4010 Reading, PA 19606